

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

September 11, 2009

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

Oahu

Issuance of Right-of-Entry Permit to Fireworks by Grucci, Inc. for Aerial Fireworks
Display, Honouliuli, Ewa, Oahu, Tax Map Key:(1) 9-1-057:seaward of 017.

APPLICANT:

Fireworks by Grucci, Inc., whose business and mailing address is 84-314 Makau Street,
Hawaii 96792-1829.

LEGAL REFERENCE:

Sections 171-55, Hawaii Revised Statutes, as amended.

LOCATION:

Portion of Government lands of Honouliuli situated at Ewa, Oahu, identified as seaward
of tax map key:(1) 9-1-057: seaward of 017, as shown on the attached Exhibit A.

AREA:

1,100 square feet, more or less.

ZONING:

State Land Use District: Conservation

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: No

CURRENT USE STATUS:

Requested area is vacant and unencumbered.

CHARACTER OF USE:

Aerial fireworks display.

TERM:

From 8:00 p.m. to 11:00 p.m. on September 12, 2009.

RENTAL:

\$110, one-time payment based on 10¢ per square feet per day.

COLLATERAL SECURITY DEPOSIT:

None.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

In accordance with the "Division of Land Management's Environmental Impact Statement Exemption List", approved by the Environmental Council and dated April 28, 1986, the subject request is exempt from the preparation of an environmental assessment pursuant to Exemption Class No.1, that states "Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features, involving negligible or no expansion or change of use beyond that previously existing."

DCCA VERIFICATION:

Place of business registration confirmed:	YES <u>X</u>	NO <u> </u>
Registered business name confirmed:	YES <u>X</u>	NO <u> </u>
Applicant in good standing confirmed:	YES <u>X</u>	NO <u> </u>

REMARKS:

Fireworks by Grucci, Inc. (Applicant) is contracted by the Rotary Club of Kapolei to conduct and setup an aerial fireworks display on the jetty and shoreline next to the marina at Ko Olina Resort for the Rotary's Club Taste at Kapolei event on September 12, 2009.

For the subject firework display, Applicant needs to set up the fireworks on a firing platform, measuring about 20 feet by 30 feet (i.e. 600 square feet) along with a safety zone area measuring about 10 feet by 50 feet (i.e. 500 square feet). A site layout of the fireworks display is attached as Exhibit B.

Pursuant to the authority delegated by the Board on September 28, 2001 (D-4), right-of-entry permits were issued for firework display in the past. After discussion about different types of commercial activities and any associated requirements, staff brings the request to the Board for disposition. The form of disposition could be in form of a right-of-entry permit.


Applicant has not had a lease, permit, easement or other disposition of State lands terminated within the past five years due to non-compliance with such terms and conditions.

No comments were solicited from other government or community agencies. There are no other pertinent issues or concerns. Staff has no objection to this request.

RECOMMENDATION: That the Board authorize the issuance of a right-of-entry permit to Fireworks by Grucci, Inc. covering the subject area for aerial fireworks display purposes under the terms and conditions cited above, which are by this reference incorporated herein and further subject to the following:

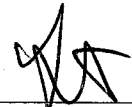
- a. The standard terms and conditions of the most current right-of-entry permit form, as may be amended from time to time; and
- b. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,



Steve Lau
Land Agent

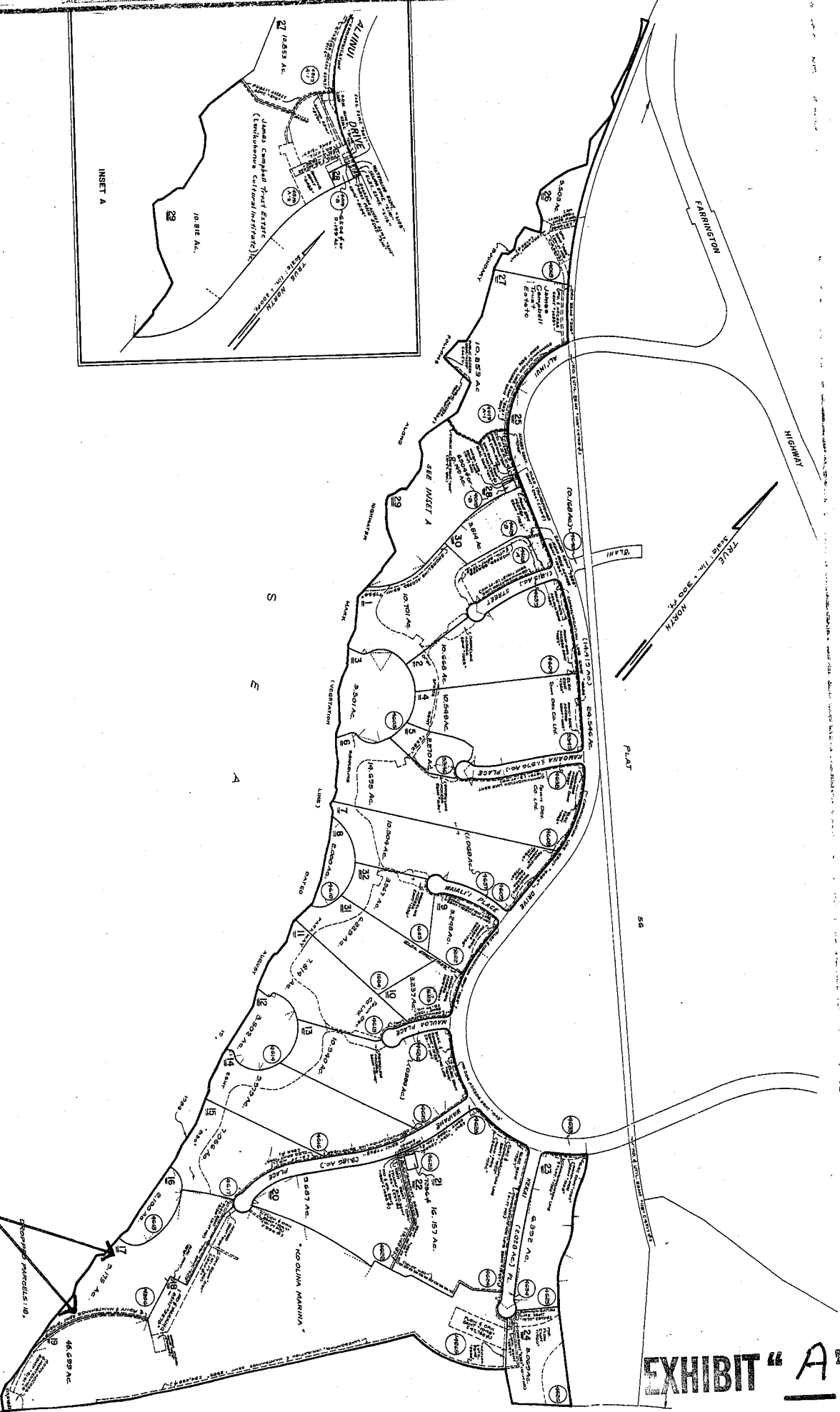
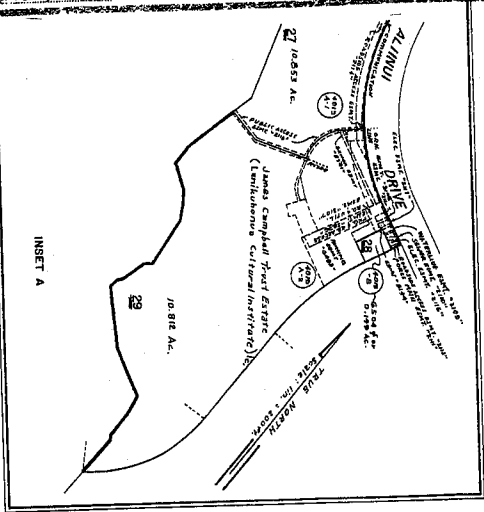
APPROVED FOR SUBMITTAL:



Laura H. Thielen, Chairperson



10. CT. APP. 1059, POR. OF HONOLULU, EWA, OAHU, HONOLULU, HAWAII (Formerly) por. 9-1-18)



SUBJECT

NOTE: All lots owned by
James Campbell Trust Estate
(Lienholders' Cultural Institute)
FOR ROBERT ASSESSMENT PURPOSE
SUBJECT TO CHANGE

OFFICE OF THE TAX MAPS SECTION HAWAII			
9	1	57	

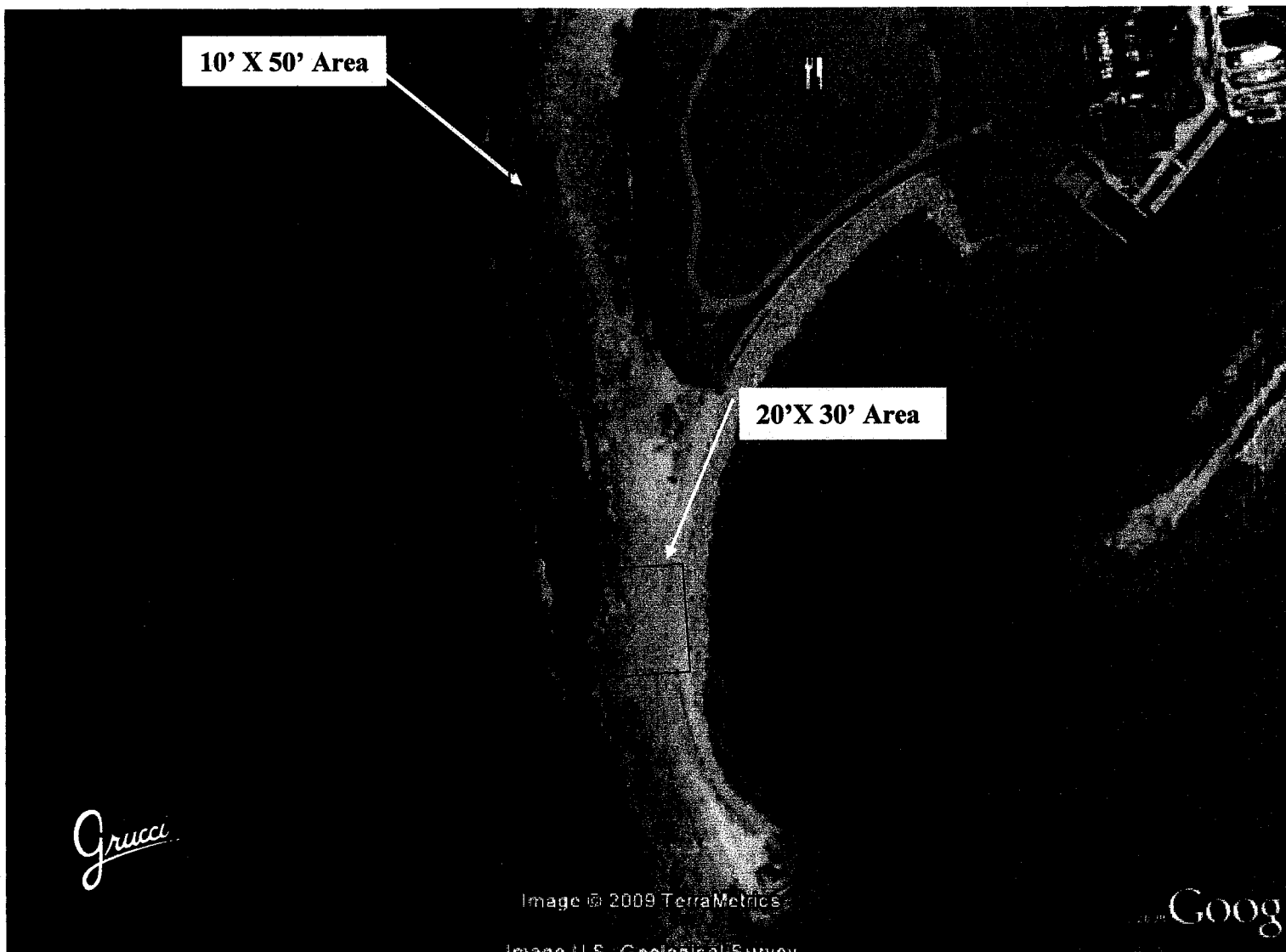
EXHIBIT "A"



FIREWORKS BY GRUCCI, INC.

SITE SET UP LAND USAGE

ROTARY CLUB – TASTE AT KAPOLEI 2009



Discharge Area Usage Date: 12 September 2009	Discharge Area Usage Time: 0800-2300 HST
Discharge Area Size: 10' X 50' and 20' X 30'	Product to be used: 6", 5", 4" shells, multi-shot boxes
Prepared by: Thomas A. Likos, Jr.	Phone: (808) 696-5909

EXHIBIT "B"